

Application No.: 10/582,096
Art Unit: 3633

Amendment under 37 CFR §1.111
Attorney Docket No.: 062626

AMENDMENTS TO THE DRAWINGS

A replacement sheet of drawings for Figs. 4-5 are appended to this paper. Figs. 4-5 have been amended to include the designation "PRIOR ART".

REMARKS

Claims 1-2 and 4 are pending in the present application. Claim 4 is withdrawn from consideration. Claims 1-2 are herein amended. The Specification and Figs. 4-5 are also herein amended. No new matter is believed to have been entered. Further, upon belief, it is respectfully submitted that this paper is fully responsive to the outstanding Office Action.

Objections

Drawings

The drawings were objected to as failing to comply with 37 CFR 1 .84(p)(5) because they include the following reference character(s) not mentioned in the description. Pine or H-Steel Pile as shown in figure 2.

As the drawings specifically illustrate “Pine or H-Steel Pile If Required,” paragraph [0027] of the originally-filed Specification has been amended to recite the following:

“FIG. 2 is a sectional view showing a total structure of a staircase constructed using the staircase block shown in FIG. 1. Mortar is laid on a foundation of concrete with reinforcement, and the staircase blocks are arranged on the mortar. Pine or H-Steel may be included in the mortar if required.”

In view of the aforementioned amendment to the Specification, it is submitted that the drawing objection is overcome.

The Office Action asserted Figures 4 and 5 should be designated by a legend such as --Prior Art -- because only that which is old is illustrated.

The Drawings have been amended as appropriate to overcome the objection by being amended to include a legend such as -- Prior Art --.

In view of the foregoing, the Examiner is respectfully requested to withdraw the objections to the drawings.

Claims

Claim 1 was objected to because of the following informalities:

The Office Action asserted that in claim 1, at line 2, there is an unnecessary spacing between the recitations "in" and "a". In addition, at line 4, the recitation "steppingsurface" should be --stepping surface--. In addition at line 5, the parenthesis around the recitation "partially cylindrical recessed surface" are unnecessary. In addition, at line 6, there is an unnecessary spacing between the recitations "recess," and "and".

Claim 1 has been formatted as appropriate further to the helpful suggestions provided by the Examiner.

In view of the foregoing, the Examiner is respectfully requested to withdraw their objection to the claim.

Claim Rejections - 35 U.S.C. §103(a)

Claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over Millar (UK Patent No. GB 2,302,343) in view of Schmidt (U.S. Patent No. 4,951,434) and further in view of Bott (U.S. Patent No. 6,082,067).

This rejection is respectfully traversed.

It is respectfully submitted that the cited art, either alone or in combination, fails to teach or suggest at least the following features of claim 1 of the present application:

- a. “formed in a triangle pillar” (the whole FIG. 1A);
- b. “a rear surface which connects diagonally the stepping surface and the rise surface at respective edges thereof” (item 8 in FIGS. 1D and 1F);
- c. “displacement prevention grooves in respective side surfaces of the block” (item 7 in FIGS. 1A and 1E).

Feature\Reference	Millar	Schmidt	Bott
a	No (*1)	No (*4)	No (*6)
b	No (*2)	No (*5)	No (*6)
c	No (*3)	No (*3)	No(*7)

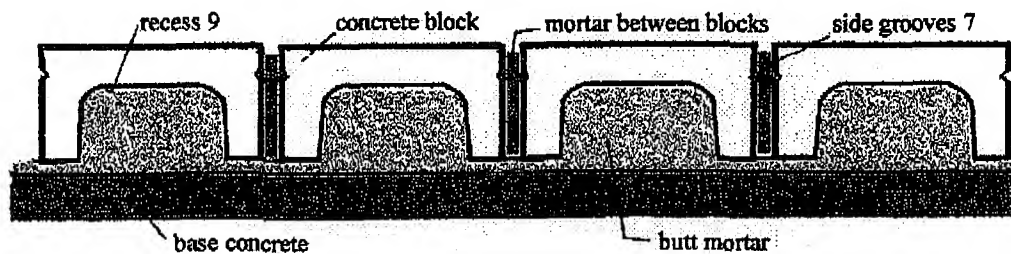
In regard to the above chart which corresponds with the above features, the following reasons are provided for each of the “No” responses:

* 1 = rectangle pillar; *2 = rear surface parallel, to top surface; *3 = no side grooves;
*4 = not a solid pillar; *5 = not a single, continuous real surface;
*6 = a concrete block not for staircase but for upright reinforced wall;
*7 = feature c effects with mortar, stops either up/down - before/behind displacement usually flat and makes no difficulty to block handling. Bott’s bulgy wall surface 17 can stop displacement only in width directions perpendicular to horizontal longitudinal axis of block, can be sometimes obstacle and broken, off in block handling.

A collaborative relationship between features

In addition to the above features, there is another which is a collaborative relationship between the features of claim 1 of the present application of “a recess in the rear surface for reducing the weight of the block” (item 9 in FIGS. 1D, 1F and 1G) and “displacement prevention grooves in respective side surfaces of the block”, wherein it comes into effect after completion of mortar works in the staircase construction. This collaborative relationship may be easily understood from the apparent aforementioned features by those who are skilled in the art.

The recess 9 behind the block is filled-up with butt mortar, and the block is fixed in its horizontal location on the base concrete. This makes the blocks hard to move horizontally, and the side surfaces of the blocks, where the displacement prevention grooves 7 are engraved, are prevented from being separated, as illustrated in the figure below.



Thus, separation of the side surfaces of the blocks due to external shock such as earth quakes is effectively avoided, and displacement prevention, effects of the grooves 7 are steadily kept. This collaborative relationship between features is not taught by any of the cited references.

Conclusion

The outstanding rejection to Claim 1 should be withdrawn, as none of essential features, (a, b and c) of Claim 1 (as indicated above), together with the collaborative one, are taught by any of the cited references.

Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Millar in view of Schmidt and in view of Bott and further in view of Buffaloe (U.S. Patent No. 1,985,143).

This rejection is respectfully traversed.

As claim 2 depends from independent claim 1, and as the present rejection employs a combination of Millar and Schmidt, it is submitted that the arguments presented above regarding the impropriety of the combination of Millar and Schmidt are applicable here where appropriate. Further, claim 2 is patentable for at least the reason of its dependency. Nothing has been cited in Bott or Buffaloe which cures the aforementioned deficiencies of Millar and Schmidt.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No.: 10/582,096
Art Unit: 3633

Amendment under 37 CFR §1.111
Attorney Docket No.: 062626

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/Joseph W. Iskra/

Joseph W. Iskra
Attorney for Applicant
Registration No. 57,485
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

JWI/kn